

REMARKS

Claims 5-22 are pending. Applicant thanks the Examiner for indicating the allowance of claim 6.

I. Claim Amendments

New claims 12-16 are supported by the original claims, but now depend from allowed claim 6, and are therefore allowable.

New claims 17-19 are supported by Fig. 2c and the paragraph bridging pages 10 and 11 of the specification. New claim 20 is supported by the paragraph bridging pages 6 and 7. New claim 21 and amended claim 5 are supported by Fig. 4. Amended claim 9 and new claim 22 are supported by Figs. 2b and 2c.

No matter has been entered.

II. Specification Objection

The specification stands objected to as not identifying the patent number of the prior U.S. application. In response, the specification has been so amended.

III. 35 USC § 103

Claims 5 and 7-11 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Hoffman et al. (U.S. Patent No. 3,731,445) in view of Dombroski (U.S. Patent No. 3,676,971), and optionally in further view of Toshio (U.S. Patent No. 4,169,688). In light of the amendments above, reconsideration is respectfully requested.

Claim 5 has been amended to recite “each joining profile consists of lips arranged in pairs and joined by a middle section, each lip being so arranged and constructed as to be received by one of the grooves of a floor element” (emphasis added). In contrast, while Fig. 8 Hoffman et al. may show a +-shaped joining profile, if modified as allegedly suggested by Dombroski, would nevertheless include 3 lips, identified as elevations 6, 7, 8. There is neither a teaching nor suggestion in either Hoffman et al. or Dombroski to modify the structure even further to elimination one of the elevations.

Claim 9 has been amended to recite “at least one side edge comprises a notch, and the system further comprises matching second joining profiles, wherein said at least one notch extends substantially parallel to said decorative upper surface” (emphasis added). In contrast, even if Fig. 2 of Hoffman et al. shows notch-like grooves (“located just under the side edges of flooring elements 2 and 3”), Applicant respectfully submits such grooves do not extend substantially parallel to the decorative upper surface.

New claim 22 and previous claim 11 recite the embodiment of Fig. 2b, where claim 9 is generic to Figs. 2b and 2c. None of the cited references specifically teach or suggest the inclusion of a second joining profile, being separate from the first joining profile.

As Toshio fails to cure the deficiencies of Hoffman et al. and Dombroski, as detailed above, Applicant respectfully presents claim 11 is allowable over the combination of these references.

Additionally, new claim 21 recites “wherein at least one of said pairs of lips is interrupted,” as shown in Fig. 4. Thus, not only would one skilled in the art have to cut off one of the arms of the + of the structure of Fig. 8 Hoffman et al., and then strip out one of the elevations, but then still further interrupt one of the remaining elevations. There is no suggestion nor motivation to one skilled in the art to do what Applicant has claimed.

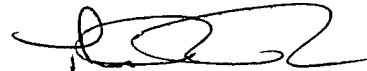
IV. Conclusion

For all the forgoing reasons, withdrawal of the rejections and allowance of all claims is respectfully requested. Thus, a Notice of Allowance is respectfully requested.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

TPP/mat
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Respectfully submitted,



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